



PATENT  
ATTORNEY DOCKET NO.: 046601-5098

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

In re Application of: )  
Shigeki ISHINO ) Confirmation No.: 4887  
Application No.: 09/866,986 ) Group Art Unit: 2157  
Filed: May 30, 2001 ) Examiner: A. Gold  
For: IMAGE READER AND METHOD )  
OF CONTROLLING THE SAME )

**MAIL STOP RCE**

Commissioner for Patents  
U.S. Patent and Trademark Office  
Alexandria, VA 22314

**REQUEST FOR CONTINUED EXAMINATION (RCE) TRANSMITTAL**

This is a Request for Continued Examination (RCE) under 37 C.F.R. § 1.114 of the above-identified application.

1. Submission required under 37 C.F.R. § 1.114

☒ Previously submitted:

☒ Please enter/consider the amendment(s)/reply under 37 C.F.R. § 1.116 previously filed on June 13, 2006. (Any unentered amendment(s) referred to above will be entered).

☐ Please consider the arguments in the Appeal Brief or Reply Brief previously filed on \_\_\_\_\_.

☐ Other \_\_\_\_\_.

☐ Enclosed:

☐ Amendment/Reply

☐ Affidavit(s)/Declaration(s)

☐ Information Disclosure Statement with PTO Form 1449 and \_\_\_\_\_ cited references

☐ Other \_\_\_\_\_.

## 2. Miscellaneous

- ☐ Suspension of action on the above-identified application is requested under 37 C.F.R. § 1.103(c) for a period of \_\_\_\_\_ months. (Period of suspension shall not exceed 3 months; Fee under 37 C.F.R. § 1.17(i) required)
- ☐ Other \_\_\_\_\_.

## 3. Fees Calculation

- (a) RCE Fee required under 37 C.F.R. § 1.17(e)

- ☒ \$790.00
- ☐ \$395.00 (for small entity)

- (b) Extension of Time

- ☐ Applicant believes that no extension of time is required. However, this conditional petition is being made to provide for the possibility that applicant has inadvertently overlooked the need for a petition and fee for extension of time.

- ☒ Applicants petition for an extension of time, the fees for which are set out in 37 C.F.R. § 1.17(a), for the total number of months checked below:

<u>Total Months Requested</u>	<u>Fee for Extension</u>	<u>[Fee for Small Entity]</u>
<input type="checkbox"/> one month	\$ 120.00	\$ 60.00
<input type="checkbox"/> two months	\$ 450.00	\$225.00
<input checked="" type="checkbox"/> three months	<b>\$1,020.00</b>	\$510.00
<input type="checkbox"/> four months	\$1,590.00	\$795.00

Extension of time fee due with this request: **\$900.00**

If an additional extension of time is required, please consider this a Petition therefore.

- ☒ An extension for one (1) month has already been secured and the fee paid therefore of \$120.00 is deducted from the total fee due for the total months of extension now requested.

- (c) Suspension of Action under 37 C.F.R. § 1.103(c)

- ☐ A fee of \_\_\_\_\_ as set out in 37 C.F.R. § 1.17(i).

(d.) Excess Claim Fee (37 C.F.R. §1.16)

CLAIMS AS AMENDED						
	Claims Remaining After Amendment		Highest No. Previously Paid	Present Extra	at Rate of	Total Fees
Total Claims (37 C.F.R. §1.16(c))	20	minus	20	0	x \$50 each=	+ \$0.00
Independent Claims (37 C.F.R. §1.16(b))	5	minus	5	0	x \$200 each=	+ \$0.00
<input type="checkbox"/> First presentation of Multiple dependent claim(s)					\$360.00	+ \$
SUB-TOTAL =						\$
Reduction by ½ for filing by a small entity						- \$
TOTAL FEE =						\$0.00

The total Amendment fee for this submission: \$0.00

## 4. Fee Payment

☐ Check in the amount of \$\_\_\_\_\_ filing fee is enclosed.

☒ The Director is hereby authorized to charge **\$1690.00** (\$790.00 RCE filing fee and \$900.00 for the balance of the three-month extension of time fee) to our

Deposit Account No. 50-0310.

## 5. Additional papers enclosed:

☐ Preliminary Amendment

☐ Declaration of Biological Deposit

☐ Submission of "Sequence Listing", computer readable copy and/or amendment pertaining thereto for biotechnology invention containing nucleotide and/or amino acid sequence.

6. Constructive Petition

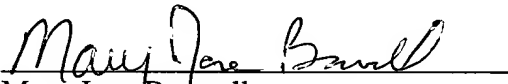
[X] **EXCEPT** for issue fees payable under 37 C.F.R. § 1.18, the Commissioner is hereby authorized by this paper to charge any additional fees during the entire pendency of this application including fees due under 37 C.F.R. §§ 1.16 and 1.17 which may be required, including any required extension of time fees, or credit any overpayment to Deposit Account 50-0310. This paragraph is intended to be a **CONSTRUCTIVE PETITION FOR EXTENSION OF TIME** in accordance with 37 C.F.R. § 1.136(a)(3).

Respectfully submitted,

**MORGAN, LEWIS & BOCKIUS LLP**

Dated: August 11, 2006

By:



Mary Jane Boswell

Reg. No. 33,652

**CUSTOMER NO. 009629**

**MORGAN, LEWIS & BOCKIUS LLP**

1111 Pennsylvania Avenue, NW

Washington, D.C. 20004

Tel.: 202.739.3000

Fax: 202.739.3001